

Howell, Beth (MRC)

From: Owen, Randy (MRC)
Sent: Wednesday, February 08, 2017 5:52 PM
To: MRC - jpa Permits
Subject: FW: VMRC Permit 14-0343 - JRWA Certificate of Take for Bialkowski
Attachments: Certificate.Bialkowski copy.pdf; VMRC Permit Approval - 2016-06-29.pdf; JRWA - Bialkowski Easements SEP16.pdf

Revision to 14-0343

From: Joe Hines [<mailto:Joe.Hines@timmons.com>]
Sent: Wednesday, February 08, 2017 3:05 PM
To: Owen, Randy (MRC) <Randy.Owen@mrc.virginia.gov>
Cc: Steve Nichols <snichols@fluvannacounty.org>; Goodwin, Christian <cgoodwin@louisiana.org>
Subject: VMRC Permit 14-0343 - JRWA Certificate of Take for Bialkowski

Randy,

Please find attached a copy of the Certificate of Take for Bialkowski with the referenced easement plat. The Certificate of Take gives JRWA the easement / right of access to the property and meets the requirement set forth by the VMRC for issuance of the permit. Please review and let us know if you have any questions or need any additional information.

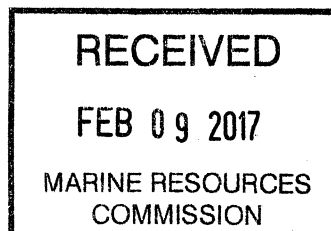
We look forward to receiving the final VMRC permit.

Thanks much,
Joe

Joseph C. Hines, PE, MBA
Principal

TIMMONS GROUP | www.timmons.com
Office: 804.200.6380 | Cell: 804.615.2162
Fax: 804.560.1438 | joe.hines@timmons.com
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ADDITIONAL INFO
REVISION





Bialkowski

OFFICIAL RECEIPT
FLUVANNA COUNTY CIRCUIT COURT
DEED RECEIPT

DATE: 12/29/16 TIME: 10:57:59 ACCOUNT: 065CLR1603931 RECEIPT: 16000008488
CASHIER: SAP REG: VU14 TYPE: CSH PAYMENT: FULL PAYMENT
INSTRUMENT : 1603931 BOOK: 977 PAGE: 726 RECORDED: 12/29/16 AT 11:51
GRANTOR: BIALKOWSKI, G RODNEY; SR, TR EX: N LOC: CO
GRANTEE: JAMES RIVER WATER AUTHORITY EX: N PCT: 100%
AND ADDRESS : , .
RECEIVED OF : JAMES RIVER WATER AUTHORITY DATE OF DEED: 12/06/16
CHECK: \$5,200.00 1089
DESCRIPTION 1: CERTIFICATE OF TAKE PAGES: 5 OP: 2
2: PLAT BOOK 3 PAGES 232-233 NAMES: 0
CONSIDERATION: .00 A/VAL: .00 MAP:
PIN:
517 CONDEMNATION FUNDS 5,200.00
TENDERED : 5,200.00
AMOUNT PAID: 5,200.00
CHANGE AMT : .00

CLERK OF COURT: TRISTANA P. TREADWAY

PAYOR'S COPY
RECEIPT COPY 1 OF 2

ADDITIONAL INFO
REVISION

977 726

PORTION OF TAX MAP PARCELS #53-A-63; 53-A-61

PREPARED BY RANDOLPH, BOYD
CHERRY and VAUGHAN on behalf of
THE JAMES RIVER WATER AUTHORITY

EXEMPTED FROM RECORDATION TAXES UNDER
SECTIONS 58.1-811(A)(3), 58.1-811(C)(5), 25.1-418, 42.1-70,
17.1-266, 17.1-279(E)

CERTIFICATE OF TAKE

\$5,200.00

This is to certify that \$5,200.00, which sum has been paid into Court, is estimated by the **JAMES RIVER WATER AUTHORITY**, a political subdivision of the Commonwealth of Virginia, ("JRWA") to be the fair value of the easements hereinafter described, or interest therein, and damages to the remainder, if any, owned in whole or in part by **G. RODNEY BIALKOWSKI, SR., Trustee of the G. RODNEY BIALKOWSKI SR., TRUST, dated September 11, 2003** ("Landowner"), which the said James River Water Authority has directed to be taken, in conjunction with the construction and maintenance of a raw water intake and pump station and pipeline with appurtenances using the James River in Fluvanna County as a source ("Project"), located in Fluvanna County, Virginia, and for all other purposes incidental thereto, and being necessary and essential to providing a source of water for the citizens of Fluvanna County and Louisa County. The authorization of the use of the condemnation authority is evidenced by the adoption of a Resolution of the James River Water Authority on April 5, 2016 following a public hearing on April 5, 2016. The amount above specified, or so much thereof as may be directed by the Court, will be paid by the Clerk thereof, pursuant to the order of the Circuit Court of the County of Fluvanna, Virginia, as provided by Title 25.1, Chapter 3 of the Virginia Code (1950), as amended.

The land, or interest therein taken, lies in the County of Fluvanna, Virginia, and is described as follows:

Water Line Easement:

A nonexclusive perpetual 20' Water Line Easement, labeled "Proposed 20' Water

3931

Plat Book 3, Pages 232 - 233

Line Easement" on a plat by Timmons Group dated September 6, 2016 titled "Plat Showing Proposed 15' Joint Use Utility and Access Easement, Proposed 15' Access Easement, Proposed Variable Width Access Easement, Proposed 20' Water Line Easement and Proposed Variable Width Construction Easements Across the Properties of G. Rodney Bialkowski, Sr. Trust " ("the Plat"), a copy of which is attached hereto, incorporated in, and recorded with this Certificate. Reference is made to the Plat for a more complete description of the area and location of said easement, and shall include the right to erect, construct, install and lay and thereafter use, operate, inspect, repair, maintain, replace, and remove utility lines for the purposes of provision and conveyance of water and appurtenances thereto, including, but not limited to, manholes, valves and related equipment and appurtenances on the land of the Landowner as shown on the Plat. However, the JRWA does not have the right to erect any structures above ground within the easement area.

The JRWA, its agents, employees and successors and assigns, shall have full and free use of the said easement and rights for the purposes named herein and all rights and privileges reasonably necessary to the enjoyment and exercise of the Water Line Easement, including the right of reasonable access to and from the easement area over the remaining land of the Landowner by such private roads as may now or hereafter exist on the property of the Landowner. The right, however, is reserved to the Landowner to shift, relocate, close or abandon such private roads, if any, at any time. If there are no public or private roads reasonably convenient to the Water Line Easement, then the JRWA, its agents, employees, successors and/or assigns shall have such right of reasonable ingress and egress over the lands of the Landowner adjacent to or within the Water Line Easement.

Joint Use Utility Easement:

A nonexclusive perpetual 15' Joint Use Utility Easement, labeled "Proposed 15' Joint Use Utility and Access Easement," on the Plat. Reference is made to the Plat for a more complete description of the area and location of said easement. The 15' Joint Use Utility Easement shall be for the purpose of allowing by permit the installation, construction, operation, maintenance, inspection, rebuilding, repair, improvement, relocation, alteration, replacement or removal of the following facilities:

- a. An underground electrical system to be installed, operated, owned and maintained by Virginia Electric and Power Company d/b/a Dominion Virginia Power, its agents, successors or assigns, for the purpose of transmitting and distributing electric power by one or more underground circuits, telephone and other communications systems relating thereto, consisting of wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, hand-holes,

connection boxes, accessories and appurtenances desirable in connection therewith.

- b. A communication system to be installed, operated, owned and maintained by Century Link, its agents, successors or assigns, for the purpose of providing telephone, cable television and high speed internet services, consisting of buried cables, buried wires, posts, terminals, pedestals, vaults, conduits, manholes, hand-holes, and related aboveground facilities including, but not limited to, cables, wires, poles, posts, terminals, location markers, cabinets, equipment housings, remote terminal units, and other appurtenances as may from time to time be required

The JRWA and its permittees shall have the full and free use of the said easement and rights for the purposes named and all rights and privileges reasonably necessary for the enjoyment and exercise of the Joint Use Utility Easement, including the right of reasonable access to and from the easement area over the remaining land of the Landowner by such private roads as may now or hereafter exist on the property of the Landowner. The right, however, is reserved to Landowner to shift, relocate, close or abandon such private roads, if any, at any time. If there are no public or private roads reasonably convenient to the Joint Use Utility Easement, then the JRWA and its permittees, shall have such right of reasonable ingress and egress over the lands of the Landowner adjacent to or within the Joint Use Utility Easement.

Access Easement:

A nonexclusive perpetual Access Easement being 15 feet on either side of the centerline of the existing gravel road as shown and identified on the Plat as "Proposed 15' Access Easement", "Proposed 15' Joint Use Utility and Access Easement" and "Proposed Variable Width Access Easement." Reference is made to the Plat for a more complete description of the area and location of said easement. This easement shall be for the purposes of ingress to and egress over and across the aforesaid area to allow the JRWA, its agents, permittees, successors and assigns reasonable access to construct, operate, maintain, inspect, rebuild, repair, improve, relocate, alter, replace and remove any and all facilities as part of the Project.

Temporary Construction Easement:

A Temporary Construction Easement, labeled "Proposed Variable Width Temporary Construction Easement" on the Plat, running parallel to the aforementioned 20' Water Line Easement, which shall include the temporary right and easement to use this area shown on said Plat as being for the proper construction of the utility facilities and containing 107,453 square feet, more or less. Reference is made to the Plat for a more complete description of the area

and location of said easement. The Temporary Construction Easement shall terminate at such time as the construction of JRWA's project is complete. JRWA shall have the right to trim, cut, and remove trees, shrubbery, fences, or other obstructions or facilities in or near the aforementioned easements being conveyed deemed by it to interfere with the proper construction, operation, and maintenance of its utility facilities or access within the easement areas; provided, however, that the JRWA at its own expense shall restore, as nearly as possible, the premises to its original condition, such restoration shall include, backfilling of trenches, replacement of shrubbery, re-sodding, and reseedling of lawns and pasture areas, but not the replacement of structures, trees, or other obstructions, with the exception of mailboxes, which may be reasonably relocated as part of the replacement.

Being a portion of the same property conveyed to G. Rodney Bialkowski, Sr. Trustee of the G. Rodney Bialkowski Trust dated September 11, 2003 by Deed from G. Rodney Bialkowski, Sr. dated May 10, 2004 and recorded May 14, 2004 in the Fluvanna County Circuit Court Clerk's Office at Deed Book 580. page 364.

THE REMAINDER OF THIS PAGE IS LEFT INTENTIONALLY BLANK

ADDITIONAL INFO
REVISION

977 730

WITNESS the following signatures and seals:

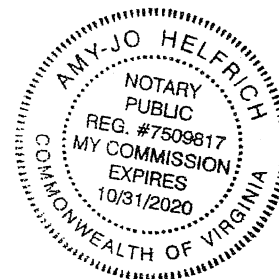
JAMES RIVER WATER AUTHORITY

By: [Signature]
[print]: D. D. Watson
[its]: Vice Chairman

The foregoing instrument was acknowledged before me December 6, 2016, by D. D. Watson, on behalf of James River Water Authority, Virginia.

My commission expires: 10/31/2020

Notary registration number: 7509817




APPROVED AS TO FORM:

[Signature]
Brendan Scott Hefty

Dated this 6th day of December, 2016, James River Water Authority

INSTRUMENT #1603931
RECORDED IN THE CLERK'S OFFICE OF
FLUVANNA COUNTY ON
DECEMBER 29, 2016 AT 10:57AM

TRISTANA P. TREADWAY, CLERK
RECORDED BY: SAP

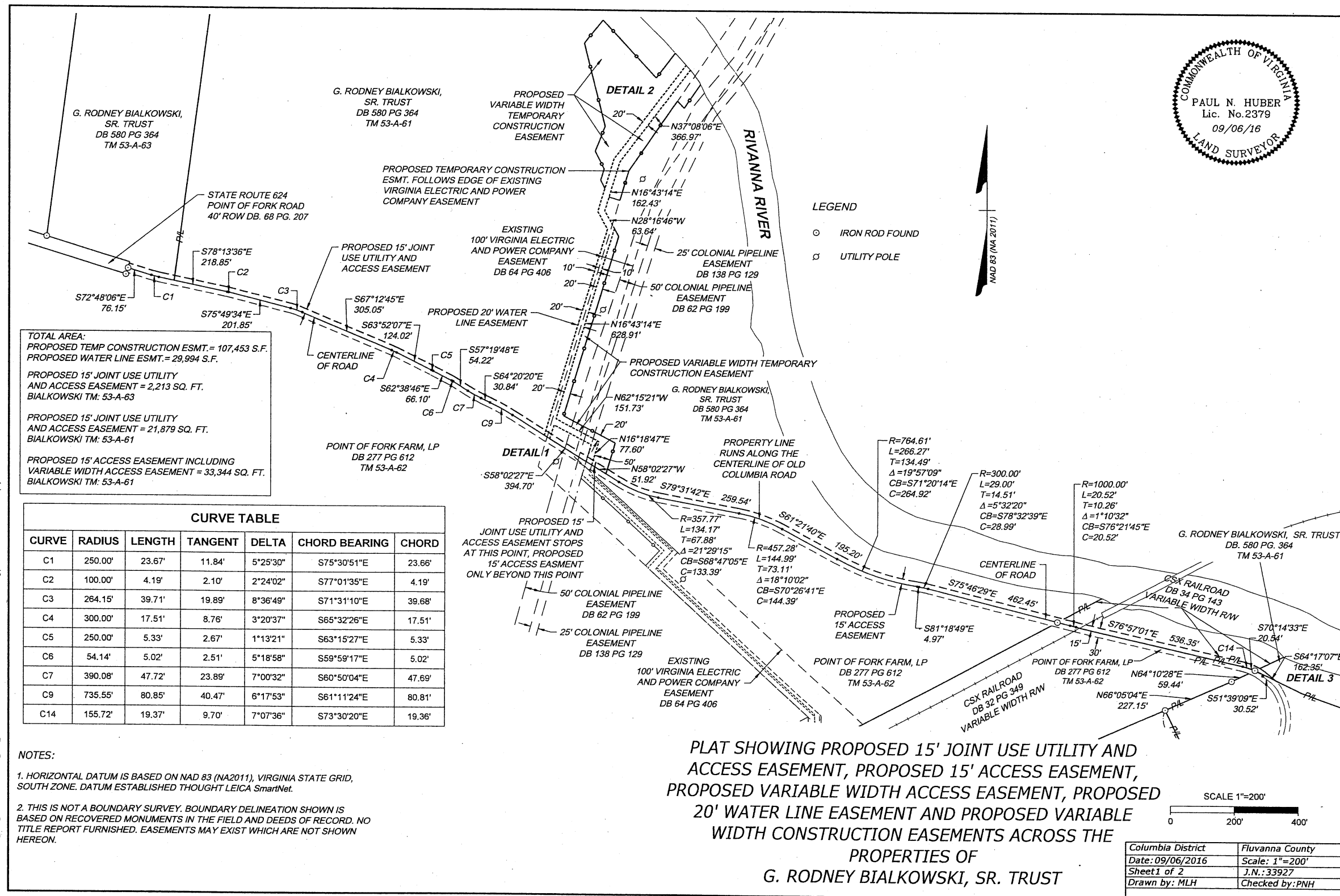
MARINE RESOURCES
COMMISSION

COMMONWEALTH OF VIRGINIA
PAUL N. HUBER
Lic. No. 2379
09/06/16
LAND SURVEYOR

THIS DRAWING PREPARED AT THE
STAUNTON OFFICE
28 IMPERIAL DRIVE | Staunton, VA 24401
TEL 540.885.0920 FAX 540.885.0786 www.timmons.com

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TIMMONS GROUP

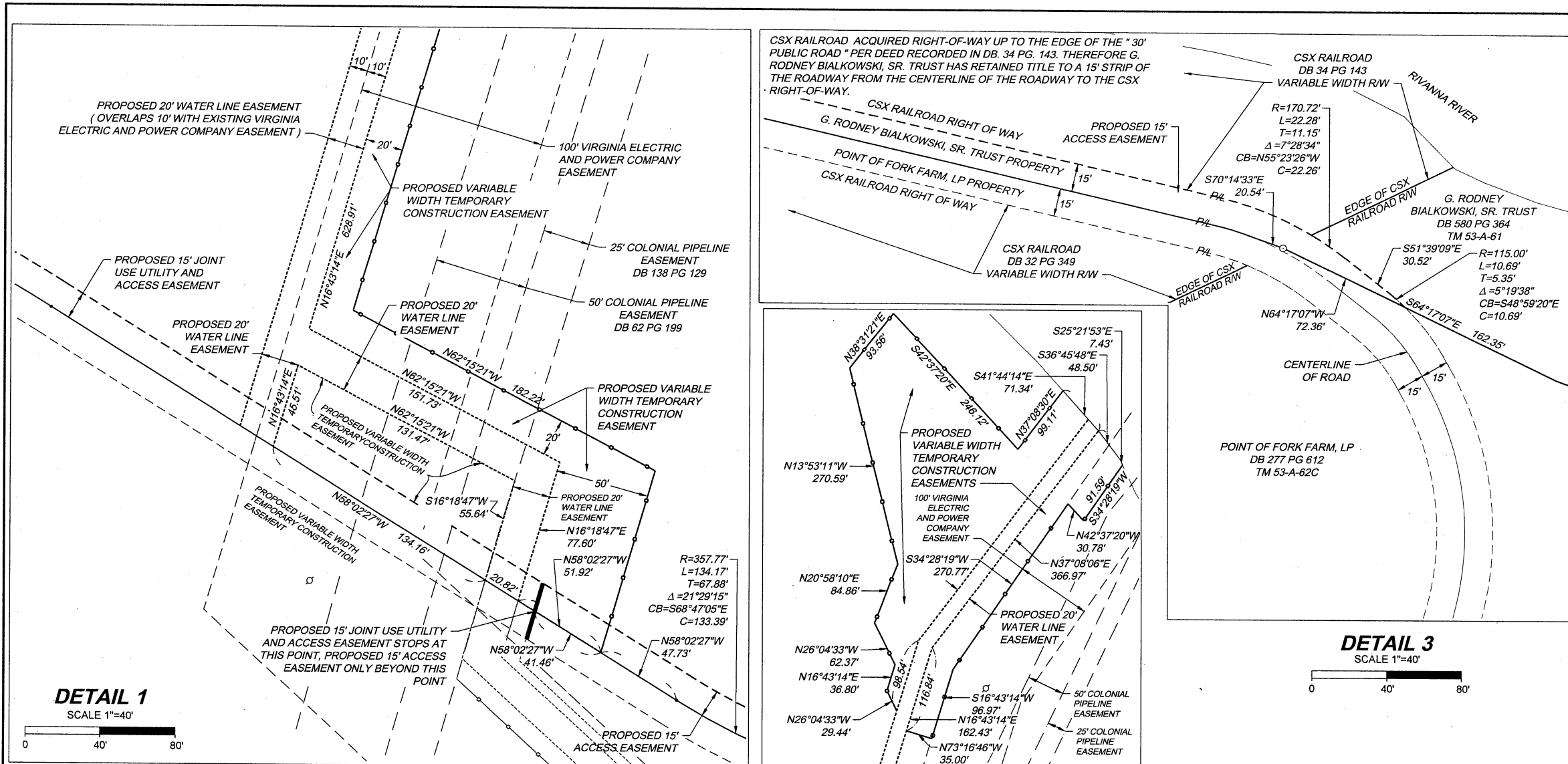


RECEIVED

FEB 09 2017

MARINE RESOURCES
COMMISSION

ADDITIONAL INFO
REVISION



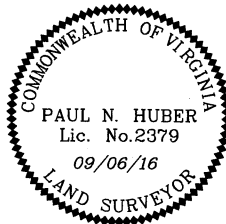
LEGEND

- IRON ROD FOUND
- UTILITY POLE

NOTES:

1. HORIZONTAL DATUM IS BASED ON NAD 83 (NA2011), VIRGINIA STATE GRID, SOUTH ZONE. DATUM ESTABLISHED THOUGH LEICA SmartNet.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY DELINEATION SHOWN IS BASED ON RECOVERED MONUMENTS IN THE FIELD AND DEEDS OF RECORD. NO TITLE REPORT FURNISHED. EASEMENTS MAY EXIST WHICH ARE NOT SHOWN HEREON.

NAD 83 (NA 2011)



PLAT SHOWING PROPOSED 15' JOINT USE UTILITY AND ACCESS EASEMENT, PROPOSED 15' ACCESS EASEMENT, PROPOSED VARIABLE WIDTH ACCESS EASEMENT, PROPOSED 20' WATER LINE EASEMENT AND PROPOSED VARIABLE WIDTH CONSTRUCTION EASEMENTS ACROSS THE PROPERTIES OF G. RODNEY BIALKOWSKI, SR. TRUST

Columbia District	Fluvanna County
Date: 09/06/16	Scale: AS SHOWN
Sheet 2 of 2	J.N.: 33927
Drawn by: MLH	Checked by: PNH

TIMMONS GROUP

THIS DRAWING PREPARED AT THE
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